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LAND LAW (IRELAND) ACT, 1881  
(CONSTITUTION AND PROCEDURE OF SUB-COMMISSIONS).

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RETURN to an Order of the Honourable The House of Commons,  
dated 15 February 1882:—*per*,

COPY "of a LETTER dated the 28th day of August 1882, addressed by the Irish Land Commissioners to His Excellency the Lord Lieutenant with reference to the Constitution and Mode of Procedure of the SUB-COMMISSIONS."

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May it please your Excellency,

I AM directed by the Land Commissioners to submit the following observations to your Excellency with respect to the change in the constitution and mode of procedure of the Sub-Commissions proposed with a view to increased efficiency and dispatch.

The Land Commissioners had the honour to lay before your Excellency proposals in the alternative for that purpose.

Their second proposal which met with your Excellency's approbation was in substance that Sub-Commissions should hereafter consist not of three, but of two members, who should sit continuously in court, and be assisted by valuers, two of whom should be attached to each Sub-Commission, and by whom the holdings should be visited and reported on.

They have found on inquiry that this change has been strongly objected to as wanting the advantage of having one person at least who had both heard the case in court and inspected the holding, and as likely on that account to be unpopular. They also found that its adoption would involve so many changes in point of detail, that it would be impracticable to put in operation in time for the ensuing circuits of the Sub-Commissions. But as it is most desirable that a method tending both to increased expedition and to the diminution of appeals should be adopted without delay, the Commissioners would again submit to your Excellency their first proposal, of which the essential features are—

1st. That the Sub-Commissions should continue to consist as at first, of three members, but that the delegation orders should be framed so as that the powers of the Sub-Commission might be exercised by two members.

2nd. That a valuer should be attached to each Sub-Commission.

3rd. That the Legal Assistant Commissioner should sit in Court with one of his colleagues, while the remaining Assistant Commissioner and the Valuer should be engaged in visiting holdings, the Valuer visiting every holding in the list, while each Lay Assistant Commissioner should visit only those as to which he had heard, or was about to hear, the cases in Court, and that the order fixing the fair rent should be signed by him conjointly with the Legal Assistant Commissioner.

This method, if adopted, would, the Commissioners believe, both expedite the work of the Sub-Commissions, and would tend to diminish appeals by having the valuation of a Court Valuer a factor in the decision of the Court below. They submit this plan accordingly in substitution for the alternative one which they desire to withdraw.

If this method be approved of a sufficient number of valuers should be appointed by the Land Commission (with the assent of the Treasury as to number, and of your Excellency as to the persons) as will enable one valuer to be attached to each Sub-Commission. If this be done, the Commissioners do not apprehend any difficulty in having the new plan come into practical operation on the ensuing circuits.

They also submit the following matters to your Excellency. As your Excellency is aware, the new circuits have been already fixed and advertised to commence on the 18th of September, and the following arrangements must be completed at as early a date as possible. 1stly. It will be necessary for your Excellency to appoint three Lay Assistant Commissioners, and one Legal Assistant Commissioner. Two of the Lay Commissioners with a legal colleague to compose the new Derry Sub-Commission, and the third lay man to take the place of Mr. Edward O'Brien, who has intimated his wish to resign. 2ndly. As regards the period for which those gentlemen should be appointed, as well as the period for which the Assistant Commissioners appointed in November and December 1881, should be re-appointed, the Land Commissioners submit that the new appointments and the re-appointments should respectively be made up to the 13th day of April 1883, the period when the appointments made in April last will expire.

The Commissioners conceive that an advantage will be gained by providing that the entire staff of Sub-Commissioners (with the exception of those appointed for seven years) should expire at the same period, so that the Government would have an opportunity of considering the propriety of re-appointing any particular gentleman.

The Land Commission, to enable this course to be adopted, propose to make a general order under their Act, and enclose a copy herewith.

The Assistant Commissioners who will require re-appointment are mentioned in the enclosure herewith, also forwarded.

On receiving an intimation from your Excellency approving of the course here suggested, the Commissioners will proceed to make the necessary arrangements with that promptitude which the shortness of the time before the next circuits renders indispensable.

The Irish Land Commission, }  
28 August 1882.

(signed) W. L. Micks.

#### GENERAL ORDER.

day of August 1882.

The Assistant Commissioners heretofore appointed in the months of November and December 1881 respectively, and holding office for one year from the date of their respective appointments, shall, if re-appointed by his Excellency the Lord Lieutenant, hold office respectively, up to the 13th day of April 1883, and Assistant Commissioners appointed after the date of this Order, and before the 18th of September 1882, shall respectively hold office up to the said 13th day of April 1883.

ASSISTANT COMMISSIONERS appointed in November and December 1881, whose Appointments will require to be renewed.

#### LEGAL ASSISTANT COMMISSIONERS.

G. Fitzgerald.  
U. Bourke.  
E. O. McDevitt.  
J. Wylie.

R. Foley.  
F. G. Hodder.  
C. B. Roche.  
T. D. Reardon.

#### LAY ASSISTANT COMMISSIONERS.

P. Mahony.  
A. Conyn.  
W. Davidson.  
E. Murphy.  
T. Walpole.  
S. Mowbray.  
J. Cunningham.  
M. P. Lynch.

H. B. Morrison.  
J. G. Barry.  
G. C. Kenny.  
L. Doyle.  
J. Howlin.  
J. F. Bonfield.  
J. M. Weir.



STATE CASE (1881-1882) 1882  
COURT REPORTS, AND PROCEEDINGS OF  
THE JUDICIAL COMMITTEE

1882-1883

COPY of a Letter from the Judge, dated 1882, sub-  
mitted by the British Consul-General to the  
Secretary for the Colonies and India, relative to  
the Constitution and State of the Colony of the  
British West Indies.

[Mr. President]

Reference to the Report of the Committee, dated 1882,  
18 January 1883.

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